

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 04-11958-RGS

MARTIN J. GALVIN, JR., ED.D.,

Plaintiff,

vs.

**THE TOWN OF YARMOUTH, PETER
L. CARNES AND STEVEN XIARHOS,**

Defendants.

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

The Plaintiff, Martin J. Galvin, Jr., Ed.D., hereby moves for summary judgment on all counts of his First Amended Complaint. In support of this motion and for reasons more fully set forth in the attached memorandum of law filed herewith, the Plaintiff states as follows:

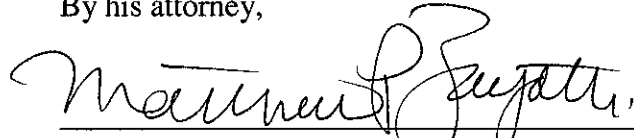
1. The Defendants wrongfully disseminated CORI in violation of Mass. Gen. L. ch. 6, § 172 by faxing the Incident Report to Plaintiff's employer;
2. The Defendants violated Plaintiff's civil rights under 42 U.S.C. § 1983 and Mass. Gen. L. ch. 12, §§ 11H and 11I by disseminating Plaintiff's CORI to Plaintiff's employer;
3. The Defendants invaded the Plaintiff's privacy in violation of Mass. Gen. L. ch. 214, § 1B by disseminating Plaintiff's CORI to Plaintiff's employer;

4. The Defendants tortiously interfered with Plaintiff's employment relationship with the City of Waterbury by disseminating the Plaintiff's CORI to Plaintiff's employer; and
5. The Defendants intentionally and/or negligently inflicted severe emotional distress upon the Plaintiff by disseminating Plaintiff's CORI to Plaintiff's employer.

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court enter summary judgment in favor of the Plaintiff on all counts of his First Amended Complaint.

MARTIN J. GALVIN, JR., ED.D.

By his attorney,



Matthew P. Zayotti, BBO #638265
Keegan Werlin LLP
265 Franklin Street
Boston, Massachusetts 02110-3113
(617) 951-1400

Dated: March 31, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on

March 31, 2006
